

REMARKS

Claims 1-3 are pending in the Application.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The foregoing amendment addresses this objection.

Claims 2-3 are rejected under 35 U.S.C. 102(a) as being unpatentable over Suzuki et al in view of Kagawa et al.

Suzuki discloses in the subject embodiment a system for automatic shifting from four wheel drive to two wheel drive under certain low speed conditions. There is the absence of the ability to have the automatic shifting occur, at all times and in any event without input from a driver, under certain high speed conditions.

All of the shifting in this reference is automatic, without the possibility of shifting control undertaken by the driver. There is no structure or suggestion of such structure which could allow control by a driver.

It does not disclose or suggest a structure or system for preventing manual shifting of the driving system from four wheel to two wheel, or from two wheel to four wheel.

Kagawa is an automatic driving system for a vehicle. An ECU controls steering wheel, brake, and accelerator actuators automatically in response to route recognition and obstruction sensors. The vehicle of Kagawa drives itself. The disclosed system prevents a driver from taking over directional and speed control of the vehicle from the computer controller when certain criteria are met. There is no discussion of inhibiting a shifting of power delivery, either manually or automatically, from two to four wheels , or from four to two wheels.

There is in fact no disclosure or suggestion of any structure relating to two wheel or four wheel drive systems. Such systems are not relevant to the auto-drive system of Kagawa.

The present claims are directed to inhibition only of manual switching between two and four wheel drive systems.

Both of the cited references relate to fully automatic systems, and as such naturally have no teachings directed to driver operated manual switching systems. Automatic systems are designed specifically with the goal of eliminating manual control of operations by a driver, and teach directly away from manual operation of systems.

CONCLUSION

Applicant asserts that all of the objections have been obviated, and therefore respectfully requests withdrawal of those objections, and an allowance of this application.

Respectfully submitted,



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